

Yeas—27

Aikin	Martin
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fly	Roberts
Fuller	Rogers
Gonzalez	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Hardeman

Absent—Excused

Hazlewood	Moore
Moffett	

Adjournment

On motion of Senator Martin the Senate at 11:01 o'clock adjourned until 10:30 o'clock a.m. tomorrow.

Record of Vote

Senator Colson asked to be recorded as voting "Nay" on the motion to adjourn.

EIGHTH DAY

(Tuesday, August 4, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by Senator Weinert.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Smith
Hudson	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Hazlewood	Moffett
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Have mercy upon us, O Lord, according to Thy loving kindness and tender mercies, blot out our transgressions, and renew a right spirit within us. Let us forgive as we have been forgiven; love as we have been loved, and give as Thou hast given to us. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Kazen was granted leave of absence for today to assume his duties as Acting Governor-for-the-Day on motion of Senator Aikin.

Senator Moffett was granted leave of absence for today on account of illness in the family on motion of Senator Martin.

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senate Bills on First Reading

By unanimous consent the following bills were introduced, read first time and referred to the committee indicated:

By Senator Moore:

S. B. No. 24, A bill to be entitled "An Act amending Article 2614, Chapter 2 of Title 49, Revised Civil Statutes of Texas, 1925, so as to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to invest the money constituting the perpetual fund described therein, in United States Government Securities in furtherance of the interests of said College and in accordance with the terms on which is was received; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Parkhouse:

S. B. No. 25, A bill to be entitled "An Act creating an additional domestic relations court in Dallas County; providing the qualifications and compensation of the judge; providing for the jurisdiction of said court; pro-

viding for the transfer of cases to and from said court; providing for said judge and the judge of the Domestic Relations Court of Dallas County, the Juvenile Court of Dallas County, and the District Judges of said County sitting for each other in cases coming within their jurisdiction; providing for the filing of cases in said court; providing services of certain county and district officers for said court; providing said court being a court of record, holding court in Dallas County, having a seal and maintaining necessary records; providing for issuance of writs and punishment for contempt; providing for a court reporter and his compensation; providing for terms of court; providing for membership of the Juvenile Board, its powers and duties, providing for appeal; providing the procedure in said court; containing a saving clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Hudson:

S. B. No. 26, A bill to be entitled "An Act creating and establishing road District Number 12 of Hidalgo County, Texas, under Article III, Section 52, of the Constitution of Texas, for the purpose of construction, operation, and maintenance of macadamized graveled, or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the District a body corporate with authority to sue and be sued; authorizing the District to issue bonds upon two-thirds (2/3) vote of the resident qualified property taxpaying voters owning taxable property in the District duly rendered for taxation, voting at an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment, and collection of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the District; providing that in awarding contracts for road construction the Commissioners Court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that a portion of the District hereby created is also included in another road district having outstanding bonds shall not affect the District hereby created or its powers hereby granted; determining that all of the lands in said District

shall be benefited by additional road improvements; providing that the provisions of this Act shall prevail in the event of conflict with any other general or special laws; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Concurrent Resolution 4

Senator Bradshaw offered the following resolution:

S. C. R. No. 4, Granting Viola Lovelace permission to sue the State of Texas and Veterans Land Board.

Whereas, In the District Court of Montague County, Texas, there is pending a certain Partition Suit styled Lovelace v. Lovelace, which seeks the partition of a certain tract of land in Montague and Cooke Counties, Texas, briefly described as 81 acres, R. H. Grimes Survey, Abst. 288, in Montague and Cooke Counties, Texas; and

Whereas, The legal title to the same is held by the Veterans Land Board who contracted the sale of said tract to Willard B. Lovelace, Rt. 2, St. Jo., Texas, by contract dated April 24, 1950, recorded in Vol. 315, page 538, Deed Records of Montague County, Texas; and

Whereas, In said lawsuit a Plea in Abatement has been sustained by the District Court of Montague County, Texas, upon the ground that the Veterans Land Board, the holder of legal title to said tract, is not a party to said lawsuit, and under Rule 756, TRCP, the said Veterans Land Board is a necessary and proper party; and

Whereas, Said Veterans Land Board, being an agency of the State of Texas, cannot be sued without express permission of the Legislature; now, therefore, be it

Resolved by the Senate of the State of Texas, House of Representatives concurring, that Viola Lovelace, the Plaintiff in said suit, is hereby granted permission to join the Veterans Land Board of the State of Texas, as a party Defendant in said suit, and that process therein may be served upon Bill Alcorn, Commissioner of General Land Office of the State of Texas, and Chairman of Veterans Land Board, and Attorney General of the State of Texas, with the same

force and effect as in any other Civil case; and, be it further

Resolved, That no admission of liability on the part of the State of Texas or of any fact, is made, nor intended to be made, by this Resolution.

The resolution was read and was referred to the committee on Jurisprudence.

Report of Standing Committee

Senator Colson submitted the following report:

Austin, Texas,
August 4, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir:

We, your committee on Public Health, to whom was referred S. B. No. 21, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Senate Concurrent Resolution 5

Senator Gonzalez offered the following resolution:

S. C. R. No. 5, Granting Dr. John W. Spies permission to sue the State of Texas.

Whereas, John W. Spies, M.D., was formerly Dean, Administrator of Hospitals, and Professor of Preventative Medicine and Public Health in the Medical Branch of the University of Texas at Galveston; and, in addition, he was the leader in founding and establishing the University of Texas M. D. Anderson Hospital for Cancer in Houston, and in arranging for other valuable facilities of The University of Texas; and

Whereas, Dr. Spies was unwarrantedly relieved of his duties and dismissed by summary, peremptory and unilateral action of the Board of Regents of The University of Texas on or about July 31, 1942; and

Whereas, Dr. Spies alleges that his dismissal was in breach of his contract and in violation of his rights as set forth in the rules of the Board of Regents pertaining to his employment and tenure, on account of which he has suffered pecuniary and other damage; and

Whereas, Dr. Spies desires to bring suit for the recovery of the damages

alleged and to maintain other rights; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, That Dr. John W. Spies, of Bexar County, Texas, is hereby granted permission to sue the State of Texas, the University of Texas, and the Regents thereof in any Court of competent jurisdiction and venue in Bexar County, Texas or elsewhere if he chooses, for the recovery of damages and for other purposes, as alleged by him. Service of citation or of any other necessary processes may be had upon the Regents of the University of Texas, Attorney General of the State of Texas, or any appropriate person. No admission of liability of the State is made by the passage of this Resolution.

The resolution was read and was referred to the committee on Jurisprudence.

Senate Bill 21 Ordered Not Printed

On motion of Senator Rogers and by unanimous consent S. B. No. 21 was ordered not printed.

Reports of Standing Committee

Senator Aikin by unanimous consent submitted the following reports:

Austin, Texas,
August 4, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 25, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
August 4, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 24, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Senate Bill 24 Ordered Not Printed

On motion of Senator Moore and

by unanimous consent S. B. No. 24 was ordered not printed.

Senate Bill 25 Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent S. B. No. 25 was ordered not printed.

Senate Concurrent Resolution 6

Senator Herring offered the following resolution:

S. C. R. No. 6, Requesting Texas Employment Commission to study the feasibility of retaining St. Martin's Lutheran Church Building.

Whereas, The State of Texas is the owner by purchase of the St. Martin's Lutheran Church building at the northeast corner of the intersection of West Fourteenth Street and Congress Avenue in Austin, Travis County, Texas; and

Whereas, Such building, because of its outstanding beauty and location, adds much to the State building area and is ideally located and suited for a non-denominational chapel for which there is, and has been for many years, a real need in the Capitol area for the benefit of all Texans; and

Whereas, Such building includes sufficient space and area, in addition to the main sanctuary, to provide much needed meeting rooms for State officials and employees, where group meetings are indicated; and

Whereas, Such church building, in addition to being one of the most beautiful in Texas, is one of the best constructed buildings of its kind in Austin, Texas, and will, with a minimum of repair, serve the State for many years to come; now, therefore be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the Texas Employment Commission be, and is hereby, directed not to raze or tear down the St. Martin's Lutheran Church building, and in lieu thereof to investigate the possibility of repairing and decorating said building in a suitable manner (1) to provide a non-denominational chapel in the main sanctuary area thereof for the use of the State of Texas and its people, and (2) to provide meeting rooms and facilities for the use of State officials and employees, and report to the 57th Legislature of Texas; and be it further

Resolved, That an enrolled copy

hereof shall be delivered by the Sergeant at Arms of the Senate to each member of the Texas Employment Commission.

HERRING
KRUEGER
BAKER

The resolution was read.

(Senator Hardeman in the Chair.)

Senator Herring asked unanimous consent to consider the resolution immediately.

There was objection.

Senator Herring then moved to suspend the regular order of business and take up S. C. R. No. 6 for consideration at this time.

The motion prevailed by the following vote:

Yeas—19

Aikin	Krueger
Baker	Lane
Colson	Moore
Crump	Parkhouse
Dies	Rogers
Fly	Secrest
Gonzalez	Smith
Hardeman	Weinert
Herring	Willis
Hudson	

Nays—8

Bradshaw	Ratliff
Fuller	Reagan
Martin	Roberts
Phillips	Wood

Absent

Owen

Absent—Excused

Hazlewood	Moffett
Kazen	

Senator Martin raised the point of order that S. C. R. No. 6 did not come within the subjects submitted by the Governor for consideration at this Called Session.

The Presiding Officer (Senator Hardeman in the Chair) sustained the point of order.

Reports of Standing Committees

Senator Lane by unanimous consent submitted the following report:

Austin, Texas,
August 4, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. C. R. No. 4, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Senator Weinert by unanimous consent submitted the following report:

Austin, Texas,
August 4, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation to whom was referred S. B. No. 23, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senate Resolution 36

Senator Owen offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. and Mrs. Frank Craft and sons; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

OWEN
WOOD

The resolution was read and was adopted.

Senate Concurrent Resolution 4 Ordered Not Printed

On motion of Senator Bradshaw and by unanimous consent S. C. R. No. 4 was ordered not printed.

Senate Resolution 37

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Mr. Jose Ford, Boys' Club No. 3; Mr.

Armand Espinosa, Boys' Club No. 2; Juan Hernandez, Boys' Club No. 1; Roy Quintero, Boys' Club No. 1; Berry Major, Boys' Club No. 3; Carl Wayne Carroll, No. 3 San Antonio Boys' Club; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the guests to the Members of the Senate.

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
August 4, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 26, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senate Bill 26 Ordered Not Printed

On motion of Senator Hudson and by unanimous consent S. B. No. 26 was ordered not printed.

Senate Bill 23 Ordered Not Printed

On motion of Senator Secrest and by unanimous consent S. B. No. 23 was ordered not printed.

Senate Resolution 38

Senator Parkhouse offered the following resolution:

Whereas, We are honored today to have as a visitor Mr. John Grizzaffi of Dallas, and whereas we desire that Mr. Grizzaffi's presence be recognized by the Senate of Texas; now, therefore, be it

Resolved, That he be extended the official welcome of the Senate and the privileges of the floor for the day.

The resolution was read and was adopted.

Senator Parkhouse by unanimous consent presented the guest to the Members of the Senate.

Senate Bill 27 on First Reading

By unanimous consent the following bill was introduced, read first time and referred to the committee indicated:

By Senators Secrest and Moore:

S. B. No. 27, A bill to be entitled "An Act to create the Cow Bayou Watershed Authority as a conservation and reclamation district in McLennan and Falls Counties under the provisions of Article XVI, Section 59, of the Constitution of Texas; prescribing the duties, powers, functions, and procedures for the district, including the right to participate in the organization of subordinate districts to carry out the functions of the master district under certain circumstances and conditions; providing for the incurring of obligations and the methods for the selection of manner for paying such obligations of the master and subordinate districts; providing for a governing body and prescribing their duties; adopting certain provisions of the general law; enacting other provisions required for the functioning of the master and subordinate districts; providing a severance clause; and declaring an emergency."

To the Committee on Water and Conservation.

Senate Concurrent Resolution 4 on Second Reading

On motion of Senator Bradshaw and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. C. R. No. 4, Granting Viola Lovelace permission to sue the State of Texas and the Veterans Land Board.

The resolution was read and was adopted.

Motion to Place

Senate Bill 25 on Second Reading

Senator Parkhouse moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be sus-

pended and that S. B. No. 25 be placed on its second reading and passage to engrossment and on its third reading and final passage.

Senator Fuller raised the point of order that S. B. 25 did not come within the subjects submitted by the Governor for consideration at this Called Session.

The Presiding Officer (Senator Hardeman in the Chair) sustained the point of order.

Senate Bill 24 on Second Reading

Senator Moore moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 24 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fly	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Smith
Hudson	Weinert
Krueger	Willis
Martin	Wood

Nays—1

Fuller

Absent

Lane

Absent—Excused

Hazlewood	Moffett
Kazen	

The Presiding Officer then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 24, A bill to be entitled "An Act amending Article 2614, Chapter 2 of Title 49, Revised Civil Statutes of Texas, 1925, so as to authorize the Board of Directors of the Agricultural and Mechanical College of Texas

to invest the money constituting the perpetual fund described therein, in United States Government Securities in furtherance of the interests of said College and in accordance with the terms on which it was received; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 24 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the Presiding Officer laid S. B. No. 24 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—26

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fly	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Smith
Hudson	Weinert
Krueger	Willis
Martin	Wood

Nays—1

Fuller

Absent

Lane

Absent—Excused

Hazlewood Moffett
Kazen

Report of Standing Committee

By unanimous consent Senator Weinert submitted the following report:

Austin, Texas,
August 3, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 27, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senate Bill 27 Ordered Not Printed

On motion of Senator Secrest and by unanimous consent S. B. No. 27 was ordered not printed.

Senate Bill 26 on Second Reading

Senator Hudson moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 26 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Martin
Baker	Moore
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fly	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Weinert
Hudson	Wood
Krueger	

Nays—1

Fuller

Absent

Lane Smith
Owen Willis

Absent—Excused

Hazlewood Moffett
Kazen

The Presiding Officer then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 26, A bill to be entitled "An Act creating and establishing Road District Number 12 of Hidalgo County, Texas; etc.; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 26 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the Presiding Officer laid S. B. No. 26 before the

Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—27

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fly	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Smith
Hudson	Weinert
Krueger	Willis
Lane	Wood
Martin	

Nays—1

Fuller

Absent—Excused

Hazlewood	Moffett
Kazen	

Senate Resolution 39

Senator Herring offered the following resolution:

Whereas, The State of Texas is the owner by purchase of the St. Martin's Lutheran Church building at the northeast corner of the intersection of West Fourteenth Street and Congress Avenue in Austin, Travis County, Texas; and

Whereas, Such building, because of its outstanding beauty and location, adds much to the State building area and is ideally located and suited for a non-denominational chapel for which there is, and has been for many years, a real need in the Capitol area for the benefit of all Texans; and

Whereas, Such building includes sufficient space and area, in addition to the main sanctuary, to provide much needed meeting rooms for State officials and employees, where group meetings are indicated; and

Whereas, Such church building, in addition to being one of the most beautiful in Texas, is one of the best constructed buildings of its kind in Austin, Texas, and will, with a minimum of repair, serve the State for many years to come; now, therefore, be it

Resolved, By the Senate of the State of Texas, that the Texas Employment Commission be, and is here-

by, directed not to raze or tear down the St. Martin's Lutheran Church building until it has carefully investigated the possibility of repairing and decorating said building in a suitable manner (1) to provide an auditorium space for the use of the State of Texas and its people, and (2) to provide meeting rooms and facilities for the use of State officials and employees; and be it further

Resolved, That the Commission report to the 57th Legislature its findings and that an enrolled copy hereof be delivered by the Sergeant-at-Arms of the Senate to each member of the Texas Employment Commission.

The resolution was read and was adopted.

Record of Votes

Senators Fuller, Reagan, Phillips and Bradshaw asked to be recorded as voting "Nay" on the adoption of the above resolution.

Senator Martin asked to be recorded as voting "Yea" on the adoption of the above resolution.

Senate Bill 21 on Second Reading

On motion of Senator Rogers and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage engrossment:

S. B. No. 21, A bill to be entitled "An Act amending Sub-section 16 of Section II of Chapter 75, Acts of the Regular Session of the 50th Legislature (relating to the Texas Municipal Retirement System), as heretofore amended; and declaring an emergency.

The bill was read second time and passed to engrossment.

(Senator Hudson in Chair.)

Senate Bill 21 on Third Reading

Senator Rogers moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 21 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Martin
Baker	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Crump	Reagan
Dies	Roberts
Fly	Rogers
Gonzalez	Secrest
Herring	Smith
Hudson	Weinert
Krueger	Willis
Lane	Wood

Nays—2

Fuller	Hardeman
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Absent

Moore	Owen
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Absent—Excused

Hazlewood	Moffett
Kazen	

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fly	Roberts
Gonzalez	Rogers
Herring	Secrest
Hudson	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood

Nays—2

Fuller	Hardeman
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Absent—Excused

Hazlewood	Moffett
Kazen	

House Concurrent Resolution 2 on Second Reading

On motion of Senator Lane and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 2, Providing per diem of Legislature for Third Called Session of 56th Legislature.

The resolution was read.

Senator Hardeman offered the following amendment to the resolution:

Amend H. C. R. No. 2 by changing the words and figures "Twenty-five Dollars (\$25.00)" to "Ten Dollars (\$10.00)"

The amendment was read.

On motion of Senator Lane, the Amendment was tabled.

Record of Votes

Senators Herring, Hardeman, Crump and Hudson asked to be recorded as voting "Nay" on the motion to table.

The resolution was then adopted.

Record of Votes

Senators Hardeman and Crump asked to be recorded as voting "Nay" on the adoption of the above resolution.

Senate Bill 23 on Second Reading

On motion of Senator Secrest and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 23, A bill to be entitled "An Act to amend Chapter 262, Acts of the Fifty-sixth Legislature, Regular Session, 1959, by adding a new section to be known as Section 6-A, so as to provide for an exclusion hearing for the District; enacting other provisions related to the subject; providing for annexation of land as provided by the general laws for water control and improvement districts; repealing conflicting law to the extent of such conflict; providing a severability clause; and declaring an emergency.

The bill was read second time and passed to engrossment.

Senate Bill 23 on Third Reading

Senator Secrest moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that

S. B. No. 23 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fly	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Smith
Hudson	Weinert
Krueger	Willis
Lane	Wood
Martin	

Nays—1

Fuller

Absent—Excused

Hazlewood	Moffett
Kazen	

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—27

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fly	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Smith
Hudson	Weinert
Krueger	Willis
Lane	Wood
Martin	

Nays—1

Fuller

Absent—Excused

Hazlewood	Moffett
Kazen	

Senate Bill 27 on Second Reading

Senator Secrest moved that Senate

Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 27 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fly	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Smith
Hudson	Weinert
Krueger	Willis
Lane	Wood
Martin	

Nays—1

Fuller

Absent—Excused

Hazlewood	Moffett
Kazen	

The Presiding Officer then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 27, A bill to be entitled "An Act to create the Cow Bayou Watershed Authority as a conservation and reclamation district in McLennan and Falls Counties under the provisions of Article XVI, Section 59 of the Constitution of Texas; etc., and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 27 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the Presiding Officer laid S. B. No. 27 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—27

Aikin	Baker
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Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood
Moore	

Nays—1

Fuller

Absent—Excused

Hazlewood	Moffett
Kazen	

Senate Bill 28 on First Reading

By unanimous consent the following bill was introduced, read first time and referred to the committee indicated:

By Senator Parkhouse:

S. B. No. 28, A bill to be entitled "An Act creating an additional domestic relations court in Dallas County; providing the qualifications and compensation of the judge; providing for the jurisdiction of said court; providing for the transfer of cases to and from said court; providing for said judge and the judge of the Domestic Relations Court of Dallas County, the Juvenile Court of Dallas County, and the District Judges of said County sitting for each other in cases coming within their jurisdiction; providing for the filing of cases in said court; providing services of certain county and district officers for said court; providing said court being a court of record, holding court in Dallas County, having a seal and maintaining necessary records; providing for issuance of writs and punishment for contempt; providing for a court reporter and his compensation; providing for terms of court; providing for membership of the Juvenile Board, its powers and duties, providing for appeal; providing the procedure in said court; containing a saving clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
August 4, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 28, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senate Bill 28 Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent S. B. No. 28 was ordered not printed.

Senate Bill 28 on Second Reading

Senator Parkhouse moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 28 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fly	Roberts
Gonzalez	Rogers
Herring	Secrest
Hudson	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood

Nays—2

Fuller	Hardeman
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Absent—Excused

Hazlewood	Moffett
Kazen	

The Presiding Officer then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 28, A bill to be entitled "An Act creating an additional domestic relations court in Dallas County; etc., and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 28 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the Presiding Officer laid S. B. No. 28 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

Record of Vote

Senator Hardeman asked to be recorded as voting "nay" on the final passage of S. B. No. 28.

Adjournment

On motion of Senator Aikin the Senate at 12:01 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

NINTH DAY

(Wednesday, August 5, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Hazlewood	Smith
Herring	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Absent—Excused

Hudson Moffett

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Holy Father, we do not live by bread alone, but by every word that proceedeth out of the mouth of God. Give us eyes to see that by Thy word we live or die; may we read it to be wise, practice it to be perfect, and hide it in our hearts that we might not sin against Thee. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Moffett was granted leave of absence for today on account of illness in the family on motion of Senator Aikin.

Senator Hudson was granted leave of absence for today on account of illness in the family on motion of Senator Reagan.

Senate Bills on First Reading

By unanimous consent the following bills were introduced, read first time and referred to the committee indicated:

By Senator Phillips:

S. B. No. 29, A bill to be entitled "An Act authorizing certain cities to make contracts, leases or other agreements with companies, corporations or individuals for the operation or lease of any city or municipal park owned or to be acquired by such cities or any of the improvements or facilities of such park or parks for a term not exceeding forty years and containing such provisions as such cities may deem necessary; permitting such cities to pledge the revenues derived from such contracts, leases or other agreements as the whole or part of the security for the payment of revenue bonds issued by such cities; containing other provisions relating to the subject; containing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Phillips:

S. B. No. 30, A bill to be entitled "An Act amending Section 5 of House Bill 12, Acts of the 56th Legislature, Regular Session, 1959, so as to authorize the issuance of temporary Commercial Bay-Bait Shrimp Boat